

## FAIRMONT PLANNING COMMISSION

The regular meeting of the Fairmont Planning Commission was held on April 20, 2016 at 7:00 p.m. at the Public Safety Building located at 500 Quincy Street.

President William Oliver called the meeting to order at 7:00 p.m. and asked for a roll call of members.

### ROLL CALL OF MEMBERS

#### **MEMBERS PRESENT**

President Oliver  
Commissioner Weber  
Commissioner Richardson  
Commissioner Parker  
Commissioner Pitman  
Commissioner Majic  
Commissioner Straight  
Commissioner Miller  
Commissioner Greene

#### **MEMBERS ABSENT**

### CITY STAFF

**City Manager** – Robin Gomez

**Recording Secretary** – Maria Cipolla

### PLEDGE OF ALLEGIANCE

#### Approval of Minutes from March 16, 2016

**President Oliver** asked for a motion to approve the minutes.

**Commissioner Greene** motioned to approve minutes.

**Commissioner Weber** seconded.

**Motion carried 9-0.**

#### Approval of Minutes from April 5, 2016

**President Oliver** asked for a motion to approve the minutes.

**Commissioner Straight** motioned to approve minutes.

**Commissioner Parker** seconded.

**Motion carried 9-0.**

#### Public Hearings for April 20, 2016

1. **R.J. Williams, of Reclaim Company, LLC, requested a rezoning of the property located at 200 Eighth Street along Chamberlain Avenue from Neighborhood Mixed Use to Main Corridor Commercial.**

**President Oliver** asked if there was anyone to speak in favor of this request.

**R.J. Williams introduced himself.**

**President Oliver:** At the last meeting, Commissioner Parker asked, how you are going to meet the guidelines of the criteria to obtain the change in zoning from Neighborhood Mixed to use Main Corridor Commercial. Have you addressed those topics? If so, what are your findings?

**R.J. Williams:** They are pretty self-explanatory. There has been significant change in the area and all of the other criteria have met your requirements.

**President Oliver** asked the Commissioners if they had any questions for R.J.

**Commissioner Weber and R.J.** cleared up a misunderstanding as to why he had his reason for the request on his application as “spot zoning.” (This conversation is not completely audible.)

**Commissioner Greene:** Other than the improvements that you have made to your property, have there been any changes in that area of Neighborhood Mixed Use that you are aware of in the last ten years?

**R. J. Williams:** In the last ten years there have been multiple changes down through there. The school has been the largest change. The Partnership has been tearing down and building up houses.

**President Oliver:** I would say that the first criteria (a) does apply and has been met in my opinion.

(a), the need and justification for the proposed amendment. There have been no changes of a significant nature that would justify a change in land use for his property. You do have that justification of changes. So I think (a) is met.

(b), the effect of the proposed amendment on the property, the surrounding property and the City as a whole: The resident/Commercial land use designated and subsequently zoned as Neighborhood Mixed Use fulfills the applicant’s intent. The request of Main Corridor Commercial is not necessary for the applicant’s intent of this property. Looking at it right now, (b) is probably the one we have to look at the hardest.

(c), the relationship of the proposed amendment to the Comprehensive Plan and to the general planning of the City.

(d), Whether there have been major changes of an economic, physical, or social nature within the area involved which were not anticipated when the Comprehensive Plan was adopted. That there have been no subsequent changes to the area since the Comprehensive Plan was adopted that would qualify this property alone to be rezoned. I do agree with that. Speaking for myself not the rest of the group.

(e), whether those changes have substantially altered the basic characteristics of the area. I do think the area has cleaned up. As you mentioned (R.J.), there are changes there. It is still more on the residential side than commercial and the construction but there has been change.

(f), whether the proposed amendment should be adopted, and

(g), whether all notice requirements have been met. The notice requirement has been met.

In addition, before recommending to the City Council that the City’s Zoning Ordinance/Map be amended and in order to approve a rezoning request, the Planning Commission is required to at a minimum determine that each of the criteria are met.

**President Oliver:** (f), (d), (e), and (c) all have been covered. The hardest thing is (b). The effect of the proposed amendment on the property, the surrounding property, and the City as a whole. The residential/commercial land use designation subsequently zoned Neighborhood Mixed Use fulfills your intent, the request for Main Corridor Commercial is not necessary for the applicant’s intent on this property. Why is Main Corridor Commercial a need if you are already allowed to do what you want in that area?

**R.J. Williams:** There are several different things as time goes along. One is the huge metal building that is to the left of the property. I would like to use that as storage space. There would be a bunch of different hoops & hurdles to go through to try and use it as storage space. It is mostly just the building structure that is there. I would like to be able to use them (the buildings) to the best of their ability without having to go through hoops & hurdles every six months to a year every time I want to do something more.

**Commission Richardson:** I remember at the last meeting, we were talking about vehicle traffic and office space. Have those been cleared up?

**R.J. William:** I know we spoke about those but what are your concerns about those?

**Commissioner Richardson:** Are we in compliance with what we presently should be or what will be?

**R.J. Williams:** I don't have truck traffic. The trucks leave in the morning and don't come back till the evening. We are currently working in Delaware and Cincinnati and the trucks won't be back for a week. Currently with the two structures, I am already at a maximum under the current zoning which allows 2500 sq. feet.

**Commissioner Greene:** If the new zoning is approved it would allow up to 15,000 sq. feet of storage and office usage.

**The Commissioners and R.J. Williams** went into a lengthy discussion about his need for the 15,000 square feet of office use and the truck traffic.

**Robin Gomez:** Just to clarify, the applicant's intent would be for office usage going forward. However, switching to Main Corridor Commercial does not preclude future uses that may include retail or as the code lists, another type of service. However, from the City's perspective, we would require the applicant to come back if he would have a usage change in the future because that would not be something the neighbors may not be content with other than current operations.

**President Oliver** instructed the Commissioners to go to page 3-12 in their code books. The Commissioners went over what is permitted by right, with permission, what can be granted conditionally, and what is excluded under Neighborhood Mixed Use and Main Corridor Commercial Use.

**Robin Gomez:** Currently under the current zoning, there is nothing prohibiting the owner of the property from setting, creating, or applying for any retailing or service usage. The applicant can do that now. However, that is currently limited to the 2500 sq. footage. Approving the Main Corridor Commercial would increase the footage to 15,000 sq. feet. But again, the applicant has stated it would be for office space usage.

**President Oliver:** So R.J.'s main concern is (a) office usage not extending 15,000 sq. feet of total floor area. He is within that permitted use. You can see what conditional use is, what is permitted with condition and what is excluded.

**Commissioner Greene** asked if an applicant can apply for a conditional use under the existing zoning.

**President Oliver:** That is correct.

**Commissioner Parker:** That is the point I was going to make. One of the concepts I fall back to is the least restrictive idea. Under the Mixed Use, it can go up to 5,000 sq. foot as a conditional use if there is a plan to do that. If he comes in and says "I have a plan to do this, this, and this." I need a Conditional Use. If he has a plan at some point and says "I need 10,000 sq. feet", he can come back in and say, "Will you rezone it because now I have a need?" I can justify the need for the rezoning. That is what conditional uses are there for. Otherwise we just have permitted uses and you wouldn't have conditional uses. What I am concerned about looking forward is, I have been through that area, I hear the comments about changes, but I am not sure there really has been a substantial change in the character of the neighborhood. At one time, it was more commercial and industrial than what it is now. The use since the time of the zoning map would be less than Main Corridor then it was at the time that it was zoned this way. It seems to me to be antithetical to the original plan of the zoning map to go backwards. I think we don't have to do that. I think if Mr. Williams has a plan right now that says I need 15,000 square feet of office space. That says I am going to develop that. I am ready to go.

**R.J. Williams:** I just want it to be there in the future so that I don't have this hindrance of having to come in here and go through all these time frames. As a business, I can't be speedy with things and wait two months and three months, trying to make things happen.

**Commissioner Parker:** I appreciate the need in business for certainty and the ability to be flexible to do the things you need to do. But, our first requirement is to study what we have in front of us. The first requirement that we have is that there be a need and justification. To effectively rezone as a place holder for some potential need to be identified in the future seems to me to go against the least restrictive alternative idea which would say let's have him come in under conditional uses. If he comes in and says here is a plan. I have tenants. I want to do this. I want to do that. Then we can consider it. Then we have a justification and a need for it. Right now, all we are doing is changing the zoning map on the idea that, "well later on I may come in and need it, so let's just do it now."

**President Oliver:** Well is there a building on there that you are wanting to occupy?

**R.J. Williams,** replied, yes.

**Commissioner Parker:** R.J. said in the future, I may want to do something.

**R.J. Williams:** "I am not looking to be restricted and conditional uses. That is not what I am looking for.

**Commissioner Parker:** I understand that but that is what zoning is all about. It places restrictions and we can't just eliminate that need.

**R.J. Williams:** I understand that. The Main Corridor Commercial has some restrictions to it.

**President Oliver:** The other building that you have there, that you built, how many square feet is that?

**R.J. Williams:** It is about 2500 square feet.

**President Oliver:** And the other building that you have is what?

**R.J. Williams:** "I think the one building is 1700 sq. feet and the other building is 800 square feet. I'm not sure the exact square footage of each building but I do remember it working out to 241 square feet too big currently.

**President Oliver:** I thought that was the reason. He has a building that he wants to occupy but he can't occupy it.

**Commissioner Parker:** But that would be a Conditional Use. It would not necessarily require us to go to the next level of zoning. That's my point.

**President Oliver:** So you are saying just to keep it right now?

**Commissioner Parker:** Right, grant the Conditional Use that makes him come into compliance and then if there is a plan to go forward with something, then there is a need.

**President Oliver:** So have him stay at Neighborhood Mixed Use but make it contingent on, he can do this and this as a conditional use, is more or less what you are saying.

**Commissioner Parker:** That is what I am trying bring attention too, like Jamie did. We do have the conditional use opportunity here. I am just concerned that there is a reason for conditional use. If we just skip over that.

**R.J. Williams:** What is your concern, sir?

**Commissioner Parker:** I think I expressed that. We have a process to meet your current need now. If we don't do that and we simply expand it and create a new zone, I'm not convinced personally that there is a substantial change to the character of the neighborhood that support that. I think what has happened over time has become more of a Neighborhood Use and less. What you are wanting to do is expand it back to a more open zone than what the current neighborhood supports. That's all I am saying. I may be wrong and everyone here may disagree with what I said. I want to have this discussion. That is why I bring it up.

**President Oliver:** That is one of the reason, R.J., that we have nine people on this Board. You have to have a mix so we can discuss these things that come up with the best situation, the best plan. We have to do what is best for the entire City of Fairmont not just yourself or others. But, we do want to see you be able to do what you want to do. We just have to do it correctly.

**R.J. Williams:** O.K.

**President Oliver:** We are working with you. Believe me. We are going to do our best for you. Is there any other questions for R.J.?

**There were none.**

**President Oliver asked if there was anybody else to speak for this request, if so, please step forward.**

**Ashley Hamrick:** I only have minimal concerns; basically noise, traffic control, and lights. Lights, only because they may shine right into my house. I feel that it is a much more positive approach then what it was, a rundown warehouse before. I'm glad to see it go. Those are the three main concerns I have living it that neighborhood. I really appreciate that you guys are addressing most of them. I was a little scared when I got a notice saying they were switching it to Main Corridor Commercial use because I like our little neighborhood. I am worried that it is going to be more commercialized. I feel that I can't say what is going to be there in the future. For right now, what he has, was a positive move. If in the future there were such changes in the ownership or type of property it was going to be and what was going to be place there, is a concern. I am glad we have a say in it with this Board. That is all I have to say.

**President Oliver:** I have talked to a lot of people. I live within three blocks of this site. I really commend R.J. for what he has done down there. He has done a great job. He has cleaned it up a lot but we also have to be considerate of the people who live on that area of Virginia Avenue with all the vehicles and traffic. We never want to tell somebody no. We are trying our best not to tell people no and bring business here. It is a shame when we have to go through this process but people live in this area. You want to have people, like this Board, who are going to ask the hard questions to get the answer so we can keep it safe for children, for yourself. When you pick up the paper and see the front page. You see what happened in your area. It does make you look at the community and the safety and such. We want to keep the area right. We want to do what is best for everybody involved but sometimes it is a double-edged sword. I think whatever decision we make, there is going to be some people upset and some people happy. Thank you for your response.

**President Oliver asked if there was anyone else to speak for this request.**

**There were none**

**President Oliver asked if there was anyone to speak against this request.**

**There were none**

**President Oliver asked if there were any questions from anybody.**

**There were none**

**The Commissioners** had a lengthy discussion about all the information at great length, about getting the exact square footage of the existing structures on the property, and how to figure out whether this just needs to go the BZA for a conditional use for the additional office space allowing up to 5,000 sq. feet, as well as what exactly are R.J.'s immediate needs/plans and possible other issues.

**Commissioner Straight:** Is it was possible to table this discussion until next month and have a half hour work session prior to the public hearing on May 18<sup>th</sup>?

**Commissioner Green:** Before the work session, we will need an inventory of what buildings are on the property, what is new and what is old. We will need the square footage of these buildings.

**President Oliver:** Since we have this new information, some direction, and the residents are not fighting this issue, does anybody have a problem with tabling this to the next meeting, including you R.J., so that we can do more research and maybe figure out if this needs to go to the Board of Zoning Appeals as far as just getting you a conditional use on this. We may not even have to vote on this if it is going to be a conditional use. Do you understand what I am saying about keeping it a Neighborhood Mixed Use for now until further construction would need to be done there and you would need the higher square footage for your buildings?

**R.J. Williams:** There is already a higher square footage building there. The existing steel buildings and the storage building. They don't conform to the Neighborhood Mixed Use.

**President Oliver:** But you have not started on those.

**R.J. Williams:** They have been started. They have been resheeted.

**President Oliver:** Then you should have answered Commissioner Parker's question when he asked you, "What was your need for the 2500 square feet?"

**R.J. Williams:** I did mention there was a current steel building down there. That I am going to make into a storage building.

**President Oliver:** We assumed that meant down the road not now. When you are going to do something that means you are going to do it in the future.

**Commissioner Greene:** Is that the existing structure (the steel building) that is part of the existing Helmick property. These are the existing structures that you are cleaning up?

**R.J. Williams** Yes. All new gutters, all that stuff.

**The Commissioners, Robin Gomez, and R.J. discussed the existing structures, current zoning, and what a conditional use is.**

**Commissioner Weber:** Can we add an addendum to the Neighborhood Mixed Use on the conditional uses in his favor without changing the Neighborhood Mixed Use. I think if you go to Main Corridor Commercial, you could open up a real can of worms for the entire neighborhood.

**Commissioner Straight:** Can I asked a quick question? With all the questions that some of the Board members have and I still have, could we not table this tonight and have a work session that we can come in for a half hour work session and come back on this and meet on it?

**President Oliver:** The bad things is, if we deny his request, he has a year and a day before he can file again for a rezone.

**Commissioner Greene;** For the rezone. He can still file for a conditional use.

**President Oliver:** Yes, he can still file for conditional use but he wants to bring up his square footage. His square footage is still going to be too small.

**Commissioner Greene;** To Ron's point, if we are going to have a work session, we need an inventory of the buildings there, what is new, what is old, the square footage, what's attached to old buildings, new construction, and how that all fits into everything.

**President Oliver:** I know it is another loop hole you don't want but if we have to vote and this gets denied, you are looking at a year and a day. You won't get what you want. I don't want that to happen to you.

**Commissioner Straight:** We are trying to work with you to get through this. Jamie brings up good points; that is conditional uses and uses permitted with conditions. Even though it's an old building, to me he has still done a lot of work on it to bring it up to a new building. You go down in that area, the change is amazing.

**President Oliver:** I agree with you. There has been change in that area. But is it enough to justify what you want, no. But that building was there and you are occupying something that was there. If everything was kosher, the building was empty for less than a year, it would be grandfathered. That's another thing. There are so many good and bad things on both sides. You can bring up points anyway you want to fight it.

**Commissioner Greene:** The other questions we want to understand is, there is no cap on this number? If he had gone into that building and the bones had been good enough to let it exist, he could have had all kinds of stuff in there. It would have exceeded that 2500 square feet.

**President Oliver:** That is why we have to get with Kevin to see if there is an actually cap on that number. That is why I would like to table it and have a work session a half hour before our next meeting. It is going to set you back a month but it is better than being set back a year.

**President Oliver:** Do we have a motion to table this request till the next meeting?

**Commissioner Weber** motioned to table the request.

**Commissioner Greene** seconded the motion

**Motion carried 9-0**

**President Oliver stated that the work session will be held on May 18<sup>th</sup> a half an hour before the next scheduled meeting.**

**Commission Parker** pointed out that we cannot table with the idea that we can look at and grant the conditional use. This Board cannot grant a conditional use.

**President Oliver** said that is not the purpose of the work session.

**Commissioner Parker** asked R.J. if he knew the total square footage of the storage buildings and the others.

**R.J. Williams:** I would have to guess it to be 12,000 square feet or better.

**President Oliver:** So that building is probably at least 40 x 100, maybe or is it bigger than that?

**R.J. Williams:** It is a good 66 x 69 on the one and the other one is 60 x 120. There is another one that is on the hill that is about 20 x 20.

**President Oliver:** Is there any way you can get us the measurements on all those buildings, please?

**R.J. Williams:** Yes, sir.

**Commissioner Parker:** The reason I asked that is even if we grant that [the conditional use] and he is at 15,000 square feet, than we are right back where we started.

**The Commissioner discussed the codes that apply and how to possibly interpret them at this time.**

**Public Hearing to Set for May 18, 2016.**

**There are none.**

**NEW BUSINESS**

**None**

**CITIZENS PETITION**

**None**

**OTHER BUSINESS**

**Commissioners Comments:**

**Commissioner Parker** reminded the Board and the applicant that when we have a rezoning request, the applicant must meet each and every element required for the rezoning.

**Commissioner Pitman:** I guess this is my last meeting so I just want to say it has been a pleasure working with everyone. I have been able to serve on this commissioner for five years. In that five years, there have been a lot of interesting meetings. Overall, it has been a good learning experience. I wish everybody luck and keep up the good work. Thank you.

**Commissioner Miller:** Congratulations John. It has been great working with you in the short time I have been working with you.

**Commissioner Straight:** Ditto. It's been a pleasure working with him but I'm not going to say we are getting the better half but she'll be our new planner. I think she starts next week. Welcome aboard. Out with the old, in with the new.

**Commissioner Weber:** I'd like to express my appreciation to John for being on the Commission. I think he is a very, very, very nice person. I kind of agree with Ron. I think the better half is going to take over. I think Mrs. Scaffidi will be a great addition to the City and the Planning Commission. Secondly, the past two meetings that we have had, were pretty contagious meetings. But I think that is what the Planning Commission is for. Tonight, we really have to look at these rules and maybe do some changes. Again, I think this is where the Planning Commission's responsibility lies. I don't think we should be reactive. I think we should be proactive. I hate to say this but I think we need more work sessions in the future to maybe make some changes in the City's codes to meet some of these things that are coming before us. Tonight and last month's meeting are some examples of what we did not anticipate. I commend the Commission for everything they have done these past two meetings. But I really think we need to be proactive looking at the plans and these books, study the books, and maybe make some kind of changes. I think we need to make the changes as a Commission so that we are the ones making the decision in regards to the planning of the City of Fairmont.

**Commissioner Richardson** The last two sessions have been enlightening. I have learned to find a few things in this book (the City's code book). It's been very helpful that it has been provided to me. The use and mixed and the whole different ways we express ourselves in the codes, a lot is coming to light. I thank you guys. John, I'm going to miss you. It's been a pleasure. Sandra, welcome aboard. Thank you guys for putting up with me.

**Commissioner Majic:** I want to thank Maria for taking the time to put this code book together and allowing me to take it home in my down time. I know it has become my bible. John, I haven't had a lot of time with you but I want to wish you all the best.



**Commissioner Greene:** Thank you John and Sandra, welcome aboard. I want to thank the Commissioners for their support at the last meeting. It took two days to fully recover from that. We are the Planning Commission and I think we owe it to the people who have served on the Planning Commission since it began to make sure we evaluate changes to the plans and zoning regulations set up by the City carefully and thoughtfully. There is nothing wrong with asking a citizen, who want to change the zoning regulations of City, to have a plan. I have only lived in Fairmont for four year and the change in the City is remarkable in that four years. I can't imagine what you guys I have seen being here all your lives. It is changing and it is changing fast. The point there is that one of biggest mistakes a local government can make is not to change with the times. That is what ordinances, amendments, and all that sort of thing is about. We need to make changes but we shouldn't just react. I don't think we reacted tonight. I think it was a good decision to table it for now.

**President Oliver:** Thank you Maria for the books. If you do take them home, please bring them back every meeting. As you could see tonight, they were very, very, useful. We able to go through it and jump to it and pull up the pages to see the rulings. I hate reading all those things. If you guys can read them, it saves me a lot. Again, thank you very much for that.

With R.J., he is upset and disgusted, but if we would have done as a board what we should have done, according to the application that he submitted, he would have been denied. He would have been a year and a day to come back. But now we are going to have a little work session. We are going to try and help the man. We do try to help this community even though we get those tomatoes thrown at us, we are still doing an incredible job at trying to help people in this city. We bend the rules a little bit but you can't break them. You still have to think of the health and the safety of the citizen of Marion County. The people who live in the City of Fairmont. Like I said, tonight was a tough one and I'm sure the one with the Partnership was a tough one too but we did want was right. As long as we can continue to do that as a Board, we need to be proud of ourselves and what we are trying to accomplish.

Sandra, you know what we are trying to accomplish. We have a Comprehensive Plan that as soon as you come on board, we are getting busy on because there are a lot of little things that are going to jump up and bite us.

I watched channel 19, Dee Dee's program. I got to watch the one with Robin on there. I think you were at the Lion's Club speaking about the rezoning of Locust Avenue which I think my wife was taking a shower and heard me screaming, "He really mentioned it". That and you knew the block. I like that. That was good but it is something we have to take care of immediately. We have to get this done. We have to quit procrastinating it.

John, in the five years you have been here, it seem like a lot longer for some strange reason. It really does. I think you spoke more tonight than what you have in the last five years. But you are like Eddie, when I look to you and you do say something, it is perfect. You do great due diligence on everything you have done on this Board. I really, really hate to see you go but I wish you congratulations and good luck with your future. Thank you very much. You did an incredible job.

## **STAFF UPDATES**

**Robin Gomez:** Thank for the special work session we had in April for taking the time. I appreciated it. The applicants greatly appreciated that as well. It didn't quite go as they had anticipated but that is the will of the people, democracy, and making the decisions that they want in their community and their neighborhood. I really wanted to thank all of you for that second meeting in one month. Since you brought up, Mr. Oliver, they are having ongoing discussions at Fairmont State University about plans along Locust Avenue. Fairmont State University has mentioned expanding. They own various parcels along Locust Avenue on the east side. I just wanted to share that with all of you. That is in the planning discussion stage. I am looking forward to meeting with Fairmont State. Sandra and I will be looking forward to meeting with Fairmont State going forward to find out exactly what type of ideas they have. It looks to me, certainly Mixed Use fortunately meets the requirements. But as you stated before, being to look at the Comprehensive Plan will be a public process. We will go through it on a staff level and city level, provide a lot of input, and then have various public meetings to solicit input the public would be willing to allow. The public can provide input, suggestions, and ideas, not just the main corridors but really all the districts to determine what type of uses they would like to see or not like to see in their areas.

Back to tonight, to the applicant, to Mr. Williams, he is the struggle that we will see until such time that we make some changes that he is exactly wanting to do. He is in essence prohibited from doing what he truly wants to do. I know he needs to provide more information. With structures that are existing, what can you do in a Neighborhood Mixed Use? You are prohibited from pretty much anything unless they are of a certain size. Those are the things we need to address going forward. A lot of what we are looking to do will address certain use within parks. We currently have seven parks. The largest being Windmill and Morris parks. You may have read or heard regarding a proposing that we will be bringing before the City Council to prohibit the use of tobacco products in the City parks as an example of what we are looking to change. That is a usage change of a facility. That has already evoked a significant response. This just a quick example going forward as we allow.

**President Oliver:** The hardest thing with that is the patrolling of it.

**Robin Gomez:** It is difficult and the enforcement is challenging. It is really just making it known and providing signage. You look at what is the usage of a park. It is a recreation component. People have mentioned to me that smoking is recreational. I am not going to disagree with you but I don't really believe that is the intent of the park. We are the largest city in our area that does not have that in place, which I found interesting. We currently do not have any applications for our Development Review Committee over the next two weeks.

**Maria Cipolla, Planning Department Secretary:** Actually I have given out two applications this week. One today to Santec. They are doing a project out in the Industrial Park and they need to modify it, possibly add some more buildings. Hopefully, I will hear from them this week. The other gentleman did not give me his name. We may have two next week. We may have none.

**Robin Gomez:** We will keep you informed. We received notification from FEMA regarding a proposed change to the Hundred Year Flood Plain and Designations along Hickman Run, along the old Owen/Illinois site. I will forward you that information. It is kind of extensive. So when you receive the email, if you have questions, feel free to respond back. It is an interesting change they are proposing. We have until May 15<sup>th</sup> to provide comments back to them. The would essentially make it very difficult to develop which is currently zoned Industrial along with what use to be the entire footprint of what use to be Owens/Illinois plant along Hickman Run nearly all the way out to Sharon Steel. Just something I wanted to share with you and I will send that out to you this week.

**Commissioner Weber:** Wasn't there a developer we had in here several months ago that is planning to develop the Owens/Illinois property?

**Robin Gomez:** He may. That is why it is imperative that we reply to request. I forget the requesting individual's name but we do have until May 15<sup>th</sup> to provide comments. Which I will on my part and I will ask the owner of the property to provide their input as well. I think they have been notified. You can develop the property. The challenge is you have to make it conform to these new guideline by FEMA that would make it significantly more expensive. You have to build retaining walls. What first came to mind is it has to be like a river walk in San Antonio, TX, minus the river. Having being here 4 ½ months, I don't quite understand their logic for it. I think the flooding has occurred a little bit east; closer to East Park and Speedway intersection. However, it is FEMA and sometimes it is difficult to argue with them because they are FEMA. I will provide that information for you. I am probably the most excited person here to have Sandra Scaffidi start on Monday. Thank you for coming tonight. Thank you John for all your service.

**President Oliver:** Thank you Robin. Leave your blue books

#### **ADJOURNMENT:**

**President Oliver** asked for a motion to adjourn.

**Commissioner Pitman** made a motion to adjourn.

**Commissioner Straight** seconded it.